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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,942

12/16/2004

Michael Rosenbluh

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EXAMINER

HASAN, MOHAMMED A

ART UNIT

PAPER NUMBER

2873

MAIL DATE

DELIVERY MODE

01/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/516,942	Applicant(s) ROSENBLUH ET AL.	
	Examiner Mohammed Hasan	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 241-243 and 272-285 is/are pending in the application.
- 4a) Of the above claim(s) 222-240 and 244-271 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 241-243 and 272-285 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/18/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 8/18/2008 have all been considered and made of record (note the attached copy of form PTO – 1449).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 241-243, and 272-285 are rejected under 35 U.S.C. 102(b) as being anticipated by Lawandy (5,604,635).

Regarding claim 241, Lawandy discloses (refer to figure 1) a microlens (10) formed in a doped glass (i.e., SiO_2) having at least one metallic component other than copper, the microlens being formed in doped glass by local radiation of a continuous wave laser beam, selected so as to melt a portion of doped glass, thereby to form the microlens (column 3, lines 25-50).

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Regarding claim 242, Lawandy discloses, wherein at least one metallic component forms a plurality of crystallites surrounding the microlens (column 2, lines 25-35).

Regarding claim 243, Lawandy discloses a microlens formed in a doped glass having at least one metallic component other than copper, the microlens is transparent to light having a wavelength from about 350 nanometers to about 2 micrometers (column 2, lines 35-45).

Regarding claim 272, Lawandy discloses wherein said at least one metallic component comprises silver (column 3, line 31).

Regarding claim 273, Lawandy discloses wherein said at least one metallic component comprises gold (column 3, lines 25-50).

Regarding claim 274, Lawandy discloses wherein said at least one metallic component comprises nickel (column 3, lines 25-50).

Regarding claim 275, Lawandy discloses wherein said at least one metallic component comprises ferrum (column 3, lines 25-50).

Regarding claim 276, Lawandy discloses wherein said at least one metallic component comprises cerium (column 3, lines 25-50).

Regarding claim 277, Lawandy discloses wherein said at least one metallic component comprises platinum (column 3, lines 25-50).

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Regarding claim 278, Lawandy discloses wherein said at least one metallic component comprises silver (coulm 3, lines 25-50).

Regarding claim 279, Lawandy discloses, wherein said at least one metallic component comprises gold (coulm 3, lines 25-50).

Regarding claim 280, Lawandy discloses, wherein said at least one metallic component comprises nickel (coulm 3, lines 25-50).

Regarding claim 281, Lawandy discloses, wherein said at least one metallic component comprises ferrum (coulm 3, lines 25-50).

Regarding claim 282, Lawandy discloses wherein said at least one metallic component comprises cerium (coulm 3, lines 25-50).

283. (New) The microlens of claim 243, wherein said at least one metallic component comprises platinum (coulm 3, lines 25-50).

Regarding claim 284, Lawandy discloses, the microlens is transparent to light having any wavelength from about 400 nanometers to about 2 micrometers (column 2, lines 35-45).

Regarding claim 285, Lawandy discloses, wherein said metal-doped glass comprises silver (column 3, line 31).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky L Mack can be reached on (571) 272- 2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammed Hasan/
Primary Examiner, Art Unit 2873
12/21/2008

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